

REMARKS

The above amendments are to form and not substance. No new matter is introduced thereby and no new issue is raised and thus entry thereof is requested respectfully.

As maintained in the record, and as recited in the claims, antigen specifically can be obtained by at least one CDR, such as the recited V_H CDR3, in the isolated antibody. SEQ ID NOS: 2 and 4 of the instant specification exemplifying such at least one CDR selected from CDR1, CDR2 or CDR3 of the V_H of an exemplified antibody, or CDR1, CDR2 or CDR3 of the V_L of an exemplified antibody.

Attached hereto is a copy of a newly discovered reference, U.S. Patent No. 6,692,908. According to the face page of the '908 patent, the patent matured from U.S. Ser. No. 09/430,489 which is a continuation-in-part of U.S. Serial No. 09/187,057 filed 5 November 1998. The file wrapper of the '908 patent has not been reviewed so it is unknown whether the claims thereof would obtain benefit to the 5 November 1998 filing date of the '057 application.

The instant application has an effective filing date of 20 July 1999. Thus, if the claims of the '908 patent do not receive benefit to the filing date of the '057 application, the '908 patent is not an effective reference of the instant application.

If arguendo, the '908 patent were to receive benefit to the 5 November 1998 filing date of the '057 application, the '908 patent still would not be an effective reference of the instant application because priority of the instant application is to the 21 July 1998 date of EP 98113595.7. Attached hereto is a copy of EP 98113595.7, which was filed in English.

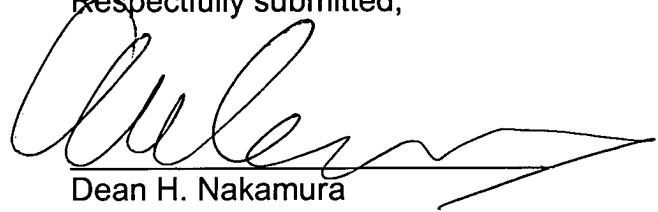
However, perhaps notably, the claims of the '908 patent relate to particular antibodies and to epitopes recognized by such antibodies. It is noted in the text of the

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'908 patent that the relevant antibodies were not deposited for enablement and written description purposes until 18 June 2002. Thus, it may be that the claims of the '908 patent are a reference as of the 18 June 2002 deposit date. Therefore, for all those reasons, the '908 patent is not an effective reference of the instant application.

Finally, attached hereto are formal drawings addressing the issues raised.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dean H. Nakamura', is written over a horizontal line.

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